

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING
OFFENSE CHARGED

See Attachment

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY:

See Attachment

E-filing**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Immigration and Customs Enforcement

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

- ☒
- this prosecution relates to a pending case involving this same defendant

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

09-0217 PJH

MAGISTRATE CASE NO.

Name and Office of Person

Furnishing Information on THIS FORM

Joseph P. Russoniello

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)

Kevin J. Barry

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA
DEFENDANT - U.S.

FRANK SALVADOR SOLORZA

DISTRICT COURT NUMBER

CR 09-0217 PJH

DEFENDANT**IS NOT IN CUSTODY**

- 1)
- ☐
- Has not been arrested, pending outcome this proceeding.
-
- If not detained give date any prior summons was served on above charges

- 2)
- ☐
- Is a Fugitive

- 3)
- ☒
- Is on Bail or Release from (show District)

Northern District of California

IS IN CUSTODY

- 4)
- ☐
- On this charge

- 5)
- ☐
- On another conviction

- 6)
- ☐
- Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

 Has detainer
 been filed?

☐ Yes
☐ No

 If "Yes"
 give date
 filed

**DATE OF
 ARREST**

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

**DATE TRANSFERRED
 TO U.S. CUSTODY**
☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS*
☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

 *Where defendant previously apprehended on complaint, no new summons
 or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

Attachment to Penalty Sheet
United States v. Frank Salvador Solorza
CR 09-0217 PJH

Superseding Indictment

Offenses Charged

Count One	18 U.S.C. § 371 – Conspiracy
Count Two	18 U.S.C. § 912 – Impersonation of a Federal Officer
Count Three	18 U.S.C. § 912 – Impersonation of a Federal Officer
Count Four	18 U.S.C. § 872 – Attempted Extortion by a Federal Official
Count Five	18 U.S.C. § 872 – Attempted Extortion by a Federal Official
Count Six	18 U.S.C. § 872 – Attempted Extortion by a Federal Official
Count Seven	18 U.S.C. § 872 – Attempted Extortion by a Federal Official

Maximum Penalties

Count One	5 years' imprisonment; \$250,000 fine; 3 years of supervised release; \$100 special assessment
Counts Two and Three	3 years' imprisonment; \$250,000 fine; 3 years of supervised release; \$100 special assessment
Count Four through Seven	3 years' imprisonment; \$250,000 fine; 3 years of supervised release; \$100 special assessment

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

v.

CR09-0217 RTH

FRANK SALVADOR SOLORZA,

DEFENDANT(S).

SUPERSEDING INDICTMENT

18 U.S.C. § 371- Conspiracy;
18 U.S.C. § 912 -Impersonating a Federal Officer;
18, U.S.C. § 872 - Attempted Extortion;
18 USC § 2 - Aiding and Abetting

A true bill.

Rynda Benjamin
Foreman

Filed in open court this 22 day of

October, 2009
Jimmy Jamil
Clerk

Sharon L. [Signature] Bail, \$ 10,000

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

FILED
OCT 22 PM 4:50
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 09-0217 PJH
Plaintiff,)	
v.)	<u>VIOLATIONS:</u> 18 U.S.C. § 371 –
)	Conspiracy; 18 U.S.C. § 912 –
FRANK SALVADOR SOLORZA,)	Impersonating a Federal Officer; 18 U.S.C.
)	§ 872 – Attempted Extortion; 18 U.S.C. § 2
Defendant.)	– Aiding and Abetting
)	
)	SAN FRANCISCO VENUE

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 371 – Conspiracy)

Beginning on a date unknown, and continuing to on or about February 10, 2009, in the Northern District of California, and elsewhere, the defendant,

FRANK SALVADOR SOLORZA,

and others unknown to the Grand Jury did knowingly and intentionally combine, conspire, and agree to commit impersonation of a federal officer and to demand money in such false and pretended capacity, in violation of Title 18, United States Code, Section 912, and to commit extortion by a federal officer, in violation of Title 18, United States Code, Section 872.

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SUPERSEDING INDICTMENT
CR 09-0217 PJH

OVERT ACTS COMMITTED IN FURTHERANCE OF THE CONSPIRACY

Overt acts alleged in connection with this offense include:

1. On or about February 4, 2009 through February 8, 2009, the defendant used his cell phone in the commission of the offenses listed in Counts Two through Seven, below, and allowed others to use his cell phone in the commission of the offenses listed in Counts Two through Seven, below.

2. On or about February 10, 2009, the defendant donned a costume to disguise his identity.

3. On or about February 10, 2009, the defendant traveled to a house in Redwood City, California, in the Northern District of California, for the purpose of collecting a \$50,000 payment in connection with the unlawful acts referred to in Counts Two through Seven, below.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO: (18 U.S.C. §§ 912, 2 – Impersonating a Federal Officer and Aiding and Abetting)

On or about February 2, 2009 through February 10, 2009, in the Northern District of California, the defendant,

FRANK SALVADOR SOLORZA,

did falsely assume and pretend to be an officer and employee of the United States acting under the authority thereof, that is, an Immigration Officer, in violation of Title 18, United States Code, Sections 912 and 2.

COUNT THREE: (18 U.S.C. §§ 912, 2 – Impersonating a Federal Officer and Aiding and Abetting)

On or about February 2, 2009 through February 10, 2009, in the Northern District of California, the defendant,

FRANK SALVADOR SOLORZA,

in the falsely assumed and pretended capacity of an officer and employee of the United States acting under the authority thereof, that is, an Immigration Officer, did demand a thing of value, in that he demanded \$50,000 to correct problems on applications for permanent residence, in

1 violation of Title 18, United States Code, Sections 912 and 2.

2
3 COUNT FOUR: (18 U.S.C. §§ 872, 2 – Attempted Extortion and Aiding and Abetting)

4 On or about February 2, 2009 through February 10, 2009, in the Northern District of
5 California, the defendant,

6 FRANK SALVADOR SOLORZA,

7 did falsely represent himself to be an officer of the United States and of a department and agency
8 thereof, and under pretense of office, did attempt an act of extortion from a person with the
9 initials of J.E. in the amount of \$10,000, in violation of Title 18, United States Code, Sections
10 872 and 2.

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12 COUNT FIVE: (18 U.S.C. §§ 872, 2 – Attempted Extortion and Aiding and Abetting)

13 On or about February 2, 2009 through February 10, 2009, in the Northern District of
14 California, the defendant,

15 FRANK SALVADOR SOLORZA,

16 did falsely represent himself to be an officer of the United States and of a department and agency
17 thereof, and under pretense of office, did attempt an act of extortion from persons with the
18 initials of R.E. and V.E. in the amount of \$15,000, in violation of Title 18, United States Code,
19 Sections 872 and 2.

20
21 COUNT SIX: (18 U.S.C. §§ 872, 2 – Attempted Extortion and Aiding and Abetting)

22 On or about February 2, 2009 through February 10, 2009, in the Northern District of
23 California, the defendant,

24 FRANK SALVADOR SOLORZA,

25 did falsely represent himself to be an officer of the United States and of a department and agency
26 thereof, and under pretense of office, did attempt an act of extortion from persons with the
27 initials of G.E. and I.E. in the amount of \$15,000, in violation of Title 18, United States Code,
28 Sections 872 and 2.

1 COUNT SEVEN: (18 U.S.C. §§ 872, 2 – Attempted Extortion and Aiding and Abetting)

2 On or about February 2, 2009 through February 10, 2009, in the Northern District of
3 California, the defendant,

4 FRANK SALVADOR SOLORZA,

5 did falsely represent himself to be an officer of the United States and of a department and agency
6 thereof, and under pretense of office, did attempt an act of extortion from a person with the
7 initials of J.R.E. in the amount of \$10,000, in violation of Title 18, United States Code, Sections
8 872 and 2.

9
10 DATED:


A TRUE BILL.

11 *October 22, 2009*

12 
13 FOREPERSON

14 JOSEPH P. RUSSONIELLO
United States Attorney

15 
16 KYLE F. WALDINGER
17 Deputy Chief, Major Crimes Section

18 (Approved as to form: )

19 AUSA BARRY

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SUPERSEDING INDICTMENT
CR 09-0217 PJH